

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

I Status of the Claims

Claims 1 and 6 have been amended.

Claims 1-6 are pending.

The amendments to claims 1 and 6 do not add new matter.

II Telephone Conference

Applicant would like to thank Examiner Harmon for all of the courtesies extended in the telephone interview held on June 3, 2003 with Louis DelJuidice. Applicant would like to thank the Examiner for discussing the claims and the Examiner's indication that the proposed amendments should distinguish over the prior art of record.

III Rejections Under 35 U.S.C. § 102

Claims 1-6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,392,338 to Fox. The Examiner states that Fox discloses all of the claimed features of the present invention.

Applicant respectfully submits that Fox does not disclose every feature of the claimed invention. Claims 1 and 6 now recite "applying adhesive to a portion of each blank of a plurality of folded, flat, unitary blanks of foldable sheet material" and the applying step occurs prior to placing the blanks in a stack. Fox does not apply adhesive to his blanks prior to placing his blanks in a stack. First, Fox's "blanks are held in a stack at a station A and are fed singly on to a horizontal blank conveyor 101 which is movable in steps past subsequent stations." Fox,

column 4, lines 28-30. Fox then moves the blanks individually through stations B-Q and performs a variety of folding and embossing steps. *See*, Fox, column 4, lines 33-55. It is not until “station R [that] the packet is transferred to an overhead conveyor where, as shown at S, lines of adhesive are applied by a gumming wheel 109 to each of the protruding flaps.” Fox, column 4, lines 56-59. Although Fox’s blanks are stacked at station A, the adhesive is applied to the blanks one at a time 16 stations later, at station R, where they are no longer stacked. Thus, Fox does not disclose a stack of blanks with applied adhesive, and therefore does not anticipate the invention of claims 1 and 6. Claims 2-5 depend from claim 1 and therefore distinguish over the prior art for at least the same reasons discussed with respect to claim 1. Applicant respectfully requests that the above rejection be withdrawn.

III Rejections Under 35 U.S.C. § 103

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fox in view of U.S. Patent No. 4,364,217 to Torrenteras et al. (hereinafter “Torrenteras”).

Claim 6 has been amended and the argument above, as it pertains to Fox, is applicable in traversing this rejection as well. Additionally, Torrenteras does not teach or disclose the elements lacking from Fox and present in claim 6. Thus, neither Fox nor Torrenteras teach or suggest, alone or in combination, all of the elements of claim 6. Applicant respectfully requests that the above rejection be withdrawn.

CONCLUSION

In view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

